

INTER-OFFICE CORRESPONDENCE Arnold Jablon TO Zoning Commissioner Date\_December 19, 1984 Norman E. Gerber, Director FROM Office of Planning and Zoning SUBJECT Zoning Petitions: No. 85-172-A, 85-177-A, 85-178-A, 85-180-A and 85-181-A There are no comprehensive planning factors requiring comment on these petitions. Norman E. Gerber, Directof NEG: JGH: bis

BALTIMORE COUNTY, MARYLAND

MICROFILMED

BALTIMORE COUNTY FIRE DE ARTMENT TOWSON, MARYLAND 21204-2586 494-4500

PAUL H. REINCKE CHIEF

November 30, 1984

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Richard A. Lamond, et ux

Location: N/S Cremson Dr. 211.04' W. from c/l Brocster Court Zoning Agenda: Meeting of 12/4/84

Item No.: 141

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required

( ) 1. Fire hydrants for the referenced property are required and shall be

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 13, 1984

Mr. & Mrs. Richard A. Lamona COUNTY OFFICE BLDG. 111 W. Chesapeace Ave. Towson, Maryland 21204 4116 Cremson Drive Phoenix, Maryland 21131

Nicholas B. Commod. Chairman

Department of

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Bureau of

Industrial

RE: Item No. 141 - Case No. 85-172-A Petitioner - Richard A. Lamond, et ux Variance Petition

Dear Mr. & Mrs. Lamond:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly. hearing scheduled accordingly.

Very truly yours,

Michalas B. Connadarifac NICHOLAS B. COMMODARI

Chairman Zoning Plans Advisory Committee

Enclosures

NBC:bsc

cc: Catron Associates 1419 S. Fountain Green Road Bel Air, Maryland 21014

MICROFILMED

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES TOWSON MARYLAND 21204

December 5, 1984

Mr. Arnold Jablon, Zoning Commissions Office of Planning and Zoning

County Office Building Towson, Maryland 21204

ichard A. Lamori, et ux /S Cremson Drive 211.04' W. from c/l Brocster Court Variance to permit a minimum rear yard setback of 48.5' in lieu of the required 50' and to allow an amendment to the development plan to permit the construction of a dwelling outside of the building area on the lot.

211.04/223 x 242.06/266.51

All structures shall conform to the Baltimore County suilding Code 1981/Council Bill 4-82 Example and restriction for the Fandissound and Area and other appli-

B A building & other permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a parmit application. Architect/Engineer seal is/is not required. Non-seproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered

Architect or Engineer shall be required to file a permit application. E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Femily use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore Courty Building Code,

G. A change of company shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

may be obtained by visiting Room 122 (Plans Regiew)

HICAUFILS !

Jinis site is part of a larger tract; therfore it is defined subdivision. The plan must show the entire tract.

)A record plat will be required and must be recorded prior to issuance of a building permit.

)The access is not satisfactory.

)The circulation on this site is not satisfactory.

)The parking arrangement is not satisfactory. )Parking calculations must be shown on the plan.
)This property contains soils which are defined as wetlands, and ) Into property contains so its which are defined as wetlands, an development on these soils is prohibited.
 ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.

Development of this site may constitute a potential conflict with the Baltimore County Master Plan.

The amended Development Plan was approved by the Planning Board )Landscaping should be provided on this site and shown on the plan.
)The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service )The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council. ( )Additional comments: the name "Common Dr." should be removed from the partiable dringway

Re: Zoning Advisory Meeting of 12/4/84

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

( >)There are no site planning factors requiring comment.
 ( )A County Review Group Meeting is required.
 ( )A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
 ( )This site is part of a larger tract; therfore it is defined as a

Property Owner: Richard A. Larwond, etural Location: HIS Cramson Drive

wo BrocstorCourt

to be corrected or incorporated into the final plans for the property. . rire nyarants for the referenced property are required and shall located at intervals or \_\_\_\_\_\_feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. ( ) 2. A second means of vehicle access is required for the site. ( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. .. ( $\chi$ ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior Special Inspection Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING 10WSON, MARYLAND 21204 494-3211

NORMAN E. GERBER DRECTOR

Mr. Arnold Jablon

Zoning Commissioner County Office Building

Towson, Maryland 21204

C

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of

the community, the variance(s) should should not be granted. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ \_\_\_\_\_, 19\_\_\_\_\_, that the herein Petition for Variance(s) to permit

RE: PETITION FOR VARIANCES N/S of Cremson Dr., 637' W of the Centerline of Brocster Ct. (4116 Cremson Dr.), 10th District

: EEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

: Case No. 85-172-A RICHARD A. LAMOND, Petitioner:

> :::::: ENTRY OF APPEARANCE

Please enter the appeara of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

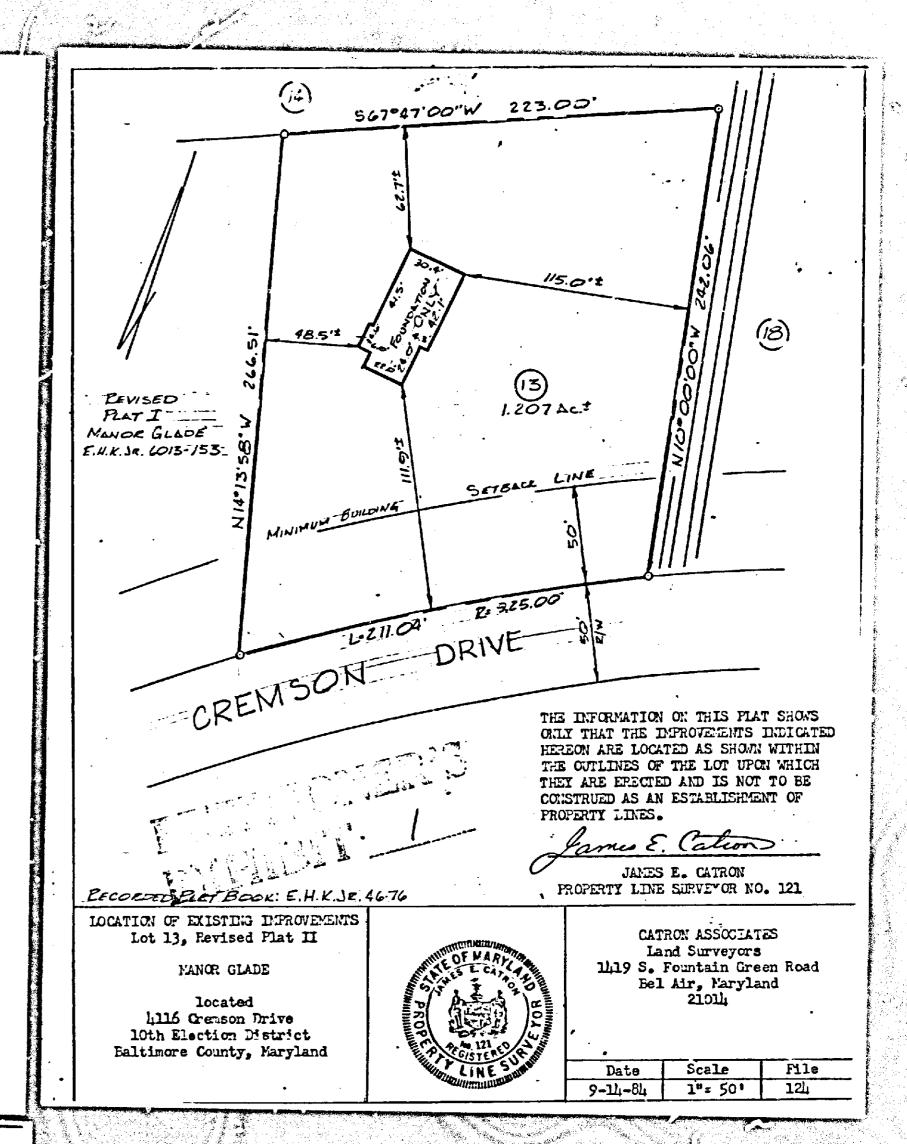
> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204

I !EREBY CERTIFY that on this 13th day of December, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Richard A. Lamond, 4116 Cremson Dr., Phoenix, MD 21131, Petitioners; and Mr. Robert H. House, 1710 Baldwin Mill Rd., Forest Hill, MD 21050, Contract Purchaser.

## ZONING DESCRIPTION

Beginning on the north side of Cremson Drive 211.04' wide, at the distance of 637 feet west of the center line of Brocster Court. Being Lot 13, in the subdivision of Manor Glade, Book No. 46, Folio 76, also known as 4116 Cremson Drive in the tenth election district.



RICHARD A. LAMOND, stup

I would opposite very much it the was
any way possible to move up the hearing date on
a variance for Mot Mr Lomend, hot 13, Mann Alch Development. I've promissed Them a move in date the third week of December - Without your help it would be impossible. Occupancy slip + bank approval will be held up until varioner is clearly Dyain, any help will be greatly appreciated.

CERTIFICATE OF POSTING

85-172-A 10:06 A.M

Posted for: Variance to parmit mi. 4d. setback + amoust mont to development Mon Petitioner: Richard A. Lamond, of av Location of property: N/S Gramson Prive, 637' Wat Broster 6% 4116 Crowson Drive, 2/131 Location of Signe: Focing roodway of Cromson Drive, Approx' 8' From drivoway & roadway on patitioner: Property Posted by Signature
Signature
Number of Signs:

PETITION FOR YARIAN	IFICATE OF PUBLICATION	
ton Election Dietrict LOCATION: North side of Cremeori D	N. 4. 13.	
West of the centerine of Brooster Co	1.00	2_4
DATE AND TIME: Friday, December	er a	Ø-7
PUBLIC HEARING Nicola, 106, Co Building, 111 West Chesapeake Avan	sty Office	
Maryland To the State of the St	Sowson, Md. 1/1/7+	- 108
The Zoning Commissioner of Baltin by suthcray of the Zoning Act and Pa	re Courty,	_ 130
Battemore County, and hold a public t	erna: 21	
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feet and it allow an amendment to a ment plan to permit the construction of	revelop 13 10 10 10 10 10 11 11 11 11 11 11 11 11	liseme
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in the par's that the Petrice is building parmit may be assed within the		eks, th
day appeal pencel. The Johang Committee and the committee of the committee	ist publication appearing on the	_ day (
The person of suid parent furing this pen	1984.	
cres-a shown. Such request must be striling by the date of the hearing a	ICEVED at 1.3	
made at the hearing.		
ARNOLD JABLON	140 A	
ZONING COMMISS BALTIMORE COUN		
# #18-L67390 12/5		

November 23, 1984

Phoenix, Maryland 21131

Mr. and Mrs. Richard A. Lamond

NOTICE OF HEARING

RE: Petition for Variance

N/S Cremson Drive, 637' W of the c/1 of Brocster Court (4116 Cremson Drive) Richard A. Lamond, et ux - Petitioners

DATE: Friday, December 21, 1984 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Mr. Robert H. House 1710 Baldwin Mill Road Forest Hill, Maryland 21050

BALTIMORE COUNTY, MARYLAND No. 135815 OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT P-01-613-010

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was

85-172-A

Cost of Advertising 2200

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353 PETITION FOR VARIANCE IN RE: PETITION ZONING VARIANCE BEFORE THE 10th Election District N/S of Cremson Drive, 637' W error had been made in measuring the distance from the rear property line to the ARNOLD JABLON ZONING COMMISSIONER of the centerline of Brocster \* ZONING COMMISSIONER Court (4116 Cremson Drive) -LOCATION: North side of Cremson Drive, 637 feet West of the house. The purpose of this hearing is to correct that error so the Petitioner 10th Election District OF BALTIMORE COUNTY centerline of Brocster Court may complete the home and move in. Mr. House takes full responsibility for the December 17, 1984 Richard A. Lamond, et ux, Case No. 85-172-A DATE AND TIME: error. The house, situated at an angle to the rear property line, which is also Friday, December 21, 1984 at 10:00 a.m. Petitioners # Mr. and Mrs. Richard A. Lamond PUBLIC HEARING: at an angle although not as severe, satisfies the required setback for about 99% Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland . . . . . . . . . . . . . 4116 Cremson Drive of its length. Thus, this variance is required for only the southern most cor-Phoenix, Maryland 21131 FINDINGS OF FACT AND CONCLUSIONS OF LAW The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: RE: Petition for Variance ner of the property. The Petitioners herein request a variance to permit a rear yard setback of N/S Cremson Drive., 637' W of c/l of Brocster Court (4116 Cremson Drive) Petition for Variance to permit a minimum rear yard setback of 48.5 feet in lieu of the required 50 feet and to allow Mr. Lamond has the support of his immediate neighbors, particularly the 48} feet instead of the required 50 feet and to amend the development plan for Richard A. Lamond, et ux - Petitioners Case No. 85-172-A an amendment to the development plan to permit the construction of a dwelling outside the building area on the lot. owner of Lot 12 which borders his property to the west and is most directly ef-Manor Glade to reflect same, as more particularly described on Petitioners' Ex-Dear Mr. and Mrs. Lamond: fected. The house on Lot 12 is about 125 feet to 150 feet away. Additionally, hibits 1, 2, and 3. Mr. Lamond, an officer of the newly formed Manor Glade Improvement Association, The Petitioner, Richard A. Lamond, appeared and testified. Robert House, a This is to advise you that \$52.44 is due for advertising and posting brought this request to the attention of the association and there were no obcontractor, testified on behalf of the Petitioners. There were no Protestants. of the above property. Testimony indicated that the subject property, zoned R.C.5, consists of 1.2 This fee must be paid and our zoning sign and post returned on the day The Petitioners seek relief from Section 1A04.3.b.3, pursuant to Section of the hearing before an Order is issued. Do not remove sign until day of hearing. Being the property of Richard A. Lamond, et ux acres and was purchased in the Spring of 1984 for the purpose of constructing the plat filed with the Zoning Office. as shown on 307, Baltimore County Zoning Regulations (BCZR). Mr. and Mrs. Lamond's residence. The property, Lot 13, will have its ingress In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entergood cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. e County, Maryland, and An area variance may be granted where strict application of the zoning BALTIMORE COUNTY, MARYLAND om 113, County Office Building, and egress from Cremson Drive which is to the south, although the proposed house No. 003139 OFFICE OF FINANCE - REVENUE DIVISION regulation would cause practical difficulty to the petitioner and his property. MISCELLANEOUS CASH RECEIPT will face a pa. andle driveway which borders it and serves Lots 14, 17, and 18 . Soley, 270 Md. 208 (1973). To prove practical difficulty for an area DATE DE: 21, 1974 1-01-615-14 to the east. BY ORDER OF variance, the petitioner must meet the following: Fall The property has an unusual topography in that there is a steep incline off ARNOLD JABLON ZONING COMMISSIONER OLD JABLON whether strict compliance with requirement would unreaof Cronson Drive which makes the southern part of the property unbuildable. Mr. OF BALTIMORE COUNTY ng Commissioner sonably prevent the use of the property for a permitted PROMISE AND ALL TO WALLES purpose or render conformance unnecessarily burdensome; House testified that the only flat area available is to the north, as shown on FOR ANN Fasters (ase \$85-172-A whether the grant would do substantial injustice to ap-Petilipners' Exhibit 2. A 12' x 120' driveway will wind its way at an angle plicant as well as other property owners in the district or whether a lesser relaxation than that applied from Cremson Drive through the incline to the house. A driveway off of the panfor would give substantial relief; and C 821\*\*\*\*\*\*\*52441a 8212F hand e could not be constructed due to the location of the reserved septic area whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public located east of the house and adjacent to the panhandle. A building permit was VALIDATION OR SIGNATURE OF CASHIER safety and welfare secured. is selection in the house but after a survey was completed, it was determined that an Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). - 2 -It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good. After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement the Petitioners seek relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare. Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested /should be granted. Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of January, 1984, that the Petition for Variance to permit a yard setback of 48½ feet instead of the required 50 feet be and the same is hereby GRANTED, from and after the date of this Order, subject to the following: The development plan for Manor Glade shall hereby be amended to reflect this variance to therefore permit the construction of a dwelling outside the building area on Lot 13. cc: Mr. Richard A. Lamond People's Counsel - 3 -